

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

RICHARD MA and FRED DEVEREAUX,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

MAPFRE U.S.A. CORP. and THE  
COMMERCE INSURANCE COMPANY,

Defendants.

Case No. 1:23-cv-12059

BRIAN CONWAY, individually and  
on behalf of all similarly situated persons,

Plaintiff,

v.

MAPFRE U.S.A. CORP. and THE  
COMMERCE INSURANCE COMPANY,

Defendants.

Case No. <sup>3</sup>1:23-cv-12076

PAMELA BROWN, individually and  
on behalf of all others similarly situated,

Plaintiff,

v.

MAPFRE U.S.A. CORP. and THE  
COMMERCE INSURANCE COMPANY,

Defendants.

Case No. 3:23-cv-12101

LYNNE ALEXANDEROWICS,  
individually and on behalf of all similarly  
situated persons,

Plaintiff,

v.

MAPFRE U.S.A. CORP. and THE  
COMMERCE INSURANCE COMPANY,

Defendants.

Case No. 4:23-cv-40125

BRIAN RAY, individually and on behalf of  
all similarly situated persons,

Plaintiff,

v.

MAPFRE U.S.A. CORP. and THE  
COMMERCE INSURANCE COMPANY,

Defendants.

Case No. 1:23-cv-12214

VERONICA GREGORY, individually and  
on behalf of all similarly situated persons,

Plaintiff,

v.

MAPFRE U.S.A. CORP. and THE  
COMMERCE INSURANCE COMPANY,

Defendants.

Case No. 1:23-CV-12225

~~PROPOSED~~ ORDER CONSOLIDATING RELATED ACTIONS

The Court has reviewed Plaintiffs' Unopposed Motion to Consolidate Related Actions (the "Motion") and Plaintiffs' Memorandum of Law in Support thereof submitted by Plaintiffs Richard Ma, Fred Devereaux, Brian Conway, Pamela Brown, Lynne Alexanderowics, Brian Ray, and Veronica Gregory ("Plaintiffs"), and has determined that (1) consolidation of the related actions listed below ~~as well as any further related actions that are subsequently filed in,~~

~~removed to, or transferred to, this Court~~; and (2) setting a schedule for filing a consolidated class action complaint and a response or motion to dismiss briefing, will promote judicial efficiency and orderly case management while avoiding unnecessary cost and delay.

Therefore, **IT IS ORDERED** that the Motion is **GRANTED** as set forth below:

1. Pursuant to Fed. R. Civ. P. 42(a), the Court hereby consolidates *Ma et. al. v MAPFRE U.S.A. Corp. et. al.*, No. 1:23-cv-12059; *Conway v MAPFRE U.S.A. Corp. et. al.*, No. 1:23-cv-12076; *Brown v. MAPFRE U.S.A. Corp. et. al.*, No. 3:23-cv-12101; *Alexanderowics v. MAPFRE U.S.A. Corp. et. al.*, No. 4:23-cv-40125; *Ray v. MAPFRE U.S.A. Corp. et. al.*, No. 1:23-cv-12214; and *Gregory v MAPFRE U.S.A. Corp. et. al.*, No. 1:23-CV-12225 (each a “Related Action” and together the “Consolidated Action”) under the docket number of this first filed case: No. 1:23-cv-12059 (“Master Docket”), and under the new title “*In re MAPFRE Data Disclosure Litigation.*”

2. No further filings shall be made in Case Nos. <sup>3</sup>1:23-cv-12076, 3:23-cv-12101, 4:23-cv-40125, 1:23-cv-12214, and 1:23-cv-12225, which shall be administratively closed. All pleadings in the Related Actions will remain legally operative until they are superseded by the filing of the Consolidated Complaint. ~~This Order shall apply to any putative class action alleging the same or substantially similar allegations that is subsequently filed in, removed to, or transferred to this Court.~~

3. All papers previously filed and served to date in the Related Actions are deemed part of the record in the Consolidated Action.

*Once appointed, interim class counsel*  
4. ~~Any Plaintiffs in the Related Actions~~ shall file a Notice of Related Case whenever a case that should be consolidated into this action is filed in, or transferred to, this District. If any party objects to such consolidation or otherwise wishes to seek alternative relief, they shall do

so within <sup>14</sup>~~10~~ days. If the Court determines that the case is related, <sup>and should be consolidated,</sup> the clerk shall:

- a. Place a copy of this Order in the separate docket for such action;
- b. Serve on Plaintiff's counsel in the new case a copy of this Order;
- c. Direct this Order to be served upon Defendants in the new case; and
- d. Make the appropriate entry on the Master Docket.

5. Plaintiffs shall have 30 days from the date of the Court's Order appointing interim class counsel to file a consolidated class action complaint. Defendants shall have 45 days from the date Plaintiffs file their consolidated class action complaint to file their responsive pleading thereto. In the event Defendants file a motion to dismiss, Plaintiffs shall have 30 days to file their opposition thereto, and Defendants shall have 14 days to file any reply.

6. Defendants are not required to respond to any of the complaints filed in the Related Actions.

**SO ORDERED.**



Hon. Indira Talwani  
United States District Judge

Dated: Oct. 11, 2023